

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

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IN RE:)

CLAUDIA Y. F. FITZPATRICK,)

Debtor.)

ROBERT LEE SMITH,)

Appellant,)

v.)

CLAUDIA Y. F. FITZPATRICK,)

Appellee.)

CIVIL ACTION NO. 2:06CV281-MHT

MOTION FOR EXTENSION OF TIME TO FILE BRIEF

COMES NOW THE appellant and moves this Court to extend the time allowed him to file his brief in this cause. Appellant states that this Court has referred his previously filed Motion to correct the transcript in this cause to the United States Bankruptcy Court, and it appears that the Motion to Correct will not be resolved before Appellant's brief is due on April 21, 2006. Further, the issues raised in the Motion are of such importance that Appellant needs that Motion to be resolved before he is required to prepare his brief.

Respectfully submitted,



ROBERT LEE SMITH


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334-263-6310

CERTIFICATE OF SERVICE

I, Robert Lee Smith hereby certify that on this the 17 day of April 2006, I served a true and correct copy of the above motion on Mark a. Cavanaugh, attorney for the Appellee-Debtor by a mailing a copy of the same to him at his address of 4252 Carmichael Road, Suite 7, Montgomery, Alabama 36106, postage prepaid and properly addressed.


ROBERT LEE SMITH